

**REMARKS**

Entry of the foregoing and reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. §1.112, are respectfully requested in light of the following remarks.

Claims 1, 2, 4-7, 9-23, 36, 38-44 and 46-49 remain in this application. Claims 3, 8, 24-35, 37, 45 and 50-52 have been cancelled, without prejudice or disclaimer. In particular, applicants reserve the right to pursue the cancelled non-elected subject matter (composition and compound claims) in a divisional or other continuing application.

The restriction requirement has been made final, Claims 1-12 have been examined and Claims 13-52 have been withdrawn from consideration as drawn to non-elected subject matter.

Upon further review, applicants believe an error has been made in requiring restriction between Group III and Group IV, an error which was unnoticed until now. Specifically, the method of use of Group IV, Claims 13-24, fits squarely within the scope of the method of elected Group III, Claims 1-12, and should have been grouped therewith. Formula (II) in Claim 13 of Group IV is the same as formula (I) in elected Group III; see the formula depicted in Claim 1 vs. the formula depicted in Claim 13. The definitions in Claim 13 are, however, narrower than those in Claim 1. Indeed, the claims in Group IV depend from those of Group III and are completely encompassed thereby. As a matter of fact, all of original Claims 13-20 and 22-24, like original Claims 1-12, read on the elected species. The elected species encompassed by elected Group III is specifically claimed in Claim 22, which is currently in non-elected Group IV.

In light of the foregoing, and especially in light of the fact that both the non-elected Group IV and elected Group III claims read on the elected species, Group IV must be joined with and examined with elected Group III. There is no line of demarcation therebetween.

By the foregoing amendment, all of the claims remaining in this application have been rewritten as method of use claims, all read on the elected invention and all but Claim 21 read on the elected species; therefore all of these claims should be examined together in the present application. Reconsideration is respectfully requested.

Claims 3, 8 and 24 have been cancelled as they would have been redundant if rewritten.

Claims 1, 2, 4-7 and 9-23 read on the elected method and Claims 1, 2, 4-7, 9-20 and 22-23 read on the elected species.

Claims 36, 38-44 and 46 were previously composition claims, but these claims have been rewritten as method claims and all now read on the elected method and on the elected species, thus are suitable for examination herein.

Claims 47-49 were previously considered as composition claims although they were in fact drawn to a cosmetic process. These claims depend, directly or indirectly, from claims in elected Group III, they all read on the elected method and the elected species, and they therefore are appropriate for examination on the merits herein.

Therefore, all of Claims 1, 2, 4-7, 9-23, 36, 38-44 and 46-49 read on the elected invention. Furthermore, Claims 1, 2, 4-7, 9-20, 22-23, 36, 38-44 and 46-49 read on the elected species.

With respect to the record 35 U.S.C. §112, second paragraph rejection, and the 35 U.S.C. §101 rejection, it is believed that these rejections have been rendered moot because all of the claims now recite a proper method and set forth at least one active step. Withdrawal of the record rejection and examination of all of the claims remaining in the application are believed to be in order and are earnestly solicited.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620